

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SAMUEL HART,

Case No. 2:21-cv-00340-JAD-NJK

Plaintiff

ORDER

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT et al.,

Defendants

This is a removed, counseled, civil-rights action under 42 U.S.C. § 1983 initiated in state court by Plaintiff Samuel Hart, a former inmate of the Clark County Detention Center. Docket No. 1. Based on the complaint, Plaintiff is no longer incarcerated. Docket No. 1 at 10-11. Defendants have paid the \$402 filing fee for a civil action. Docket No. 1.

In light of Plaintiff's non-incarceration and payment of the filing fee, the Court is no longer required to screen this case. *See generally* 28 U.S.C. § 1915A (the plaintiff is no longer a prisoner within the meaning of the statute); *see Olivas v. Nevada ex rel. Dep't of Corr.*, 856 F.3d 1281, 1282 (9th Cir. 2017) (holding that "28 U.S.C. § 1915A applies only to claims brought by individuals incarcerated at the time they file their complaints"); *see Lopez v. Smith*, 203 F.3d 1122, 1126, 1129 (9th Cir. 2000) (recognizing that screening under 28 U.S.C. § 1915(e) applies to actions filed *in forma pauperis* whether or not the plaintiff is incarcerated). This case will now proceed onto the normal litigation track. The parties are directed to comply with the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

DATED: March 2, 2021.


NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE